

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DENNIS R. SPRAYBERRY,

Plaintiff,

NO. CV-08-359-JPH

vs.

ORDER ADOPTING REPORT AND
RECOMMENDATION AND DISMISSING
ACTION WITHOUT PREJUDICE

OZZIE KNEZOVICH,

Defendant.

Magistrate Judge Hutton filed a Report and Recommendation on January 6, 2009, recommending Mr. Sprayberry's action be dismissed without prejudice as he had not complied with the filing fee requirements of 28 U.S.C. §§ 1914 and 1915, or kept the court apprised of his present address. Interestingly, a copy of the Report and Recommendation sent to Mr. Sprayberry at the Spokane County Jail, his last known address, has not been returned to the court. There being no objections, the court **ADOPTS** the Report and Recommendation. The action is **DISMISSED WITHOUT PREJUDICE.**

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ORDER ADOPTING REPORT AND RECOMMENDATION AND
DISMISSING ACTION WITHOUT PREJUDICE -- 1

1 **IT IS SO ORDERED.** The District Court Executive is directed to
2 enter this Order, enter judgment, forward a copy to Plaintiff and
3 close the file.

4 **DATED** this 29th day of January 2009.

5 *S/ Robert H. Whaley*
6 ROBERT H. WHALEY
7 CHIEF UNITED STATES DISTRICT JUDGE